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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATIONDocket Number (Optional)
006389.00004

In re Application of: Steven A Rogers

Application No. 10/697,103

Filed: October 31, 2003

For: Endpoint Packet Scheduling System

The owner*, Rivulet Communications, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 11/233,144, filed on September 23, 2005, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney of record. Reg. No. 38,061

/Bradley C. Wright/

Oct. 16, 2007

Signature

Date

Bradley C. Wright

Typed or printed name

202-824-3160

Telephone Number

- Terminal disclaimer fee under 37 CFR 1.20(d) is authorized to be charged to Deposit Account No. 19-0733

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